

BEFORE THE HON'BLE NATIONAL GREEN TRIBUNAL

PRINCIPAL BENCH, NEW DELHI

O.A No. 69/2022

Parul Bawa

.....Petitioner

Versus

State of Haryana & Others

.....Respondents

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Place: Chandigarh
Dated:13.09.2022


(T.L. Satyaprakash)
Director General,
Town and Country Planning,
Haryana.

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Reply of T.L. Satyaprakash, Director
General, Town and Country
Planning Department Haryana.

I the above named deponent do hereby solemnly affirm and
declare as under:-

1. That the grievance in the instant application filed by Advocate Parul Bawa is regarding unauthorized cutting of trees in the alleged forest land falling under Aravalli Hills near Green Field Colony, Village Sarai Khawaja, Khasra No. 70, Faridabad, Haryana by M/S SVC Ventures and Lahari. Further vide order dated 08.08.2022, Hon'ble Tribunal has directed the answering respondent to file response/reply to the allegations made in the application/observations made in the report of the Joint Committee submitted on 28.04.2022 vide e-mail dated 28.04.2022 and supplementary report dated 05.08.2022 vide email dated



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05.08.2022. Therefore, answering respondent is filing present reply giving details regarding grant of licence no. 50 of 2022 dated 22.04.2022 to SVC & Lahari and suspension thereof, explaining the relevant facts.

2. That it is submitted that Licence No. 50 of 2022 dated 22.04.2022 (copy enclosed as **Annexure-R/1**) was granted under the provisions of the Haryana Development and Regulation of Urban Areas Act, 1975 (in short called as Act of 1975) and the Rules made thereunder for setting up of an Affordable Plotted Colony under Deen Dayal Jan Awas Yojna Policy 2016 on the land measuring 5.00625 acres comprising of Khasra No. 70//8/2 min(3-12), 9/1(1-13) 12/2(1-13), 13(8-0), 14(8-0), 17/2(7-10), 18(8-0), 19/1(1-13) (Total 40K-1M) to SVC & Lahari (hereinafter referred as to Project Proponent) by the answering respondent. Inter alia one of the conditions (condition no. 5) for grant of licence is *"that the final decision of State Level Committee on the recommendations of the District Level Committee regarding inclusion/exclusion of applied land from NCZ category shall be binding on the colonizer and he shall abide by the same. In case of any decision of State Level Committee contrary to the recommendation of District Level Committee, the license shall be withdrawn and no claim, whatsoever, shall be entertained."*



Handwritten signature in blue ink, appearing to be "S. S. Gill".

It is further submitted that similar condition was also imposed in the LOI dated 03.11.2021 while proposing to grant licence for the above said colony. The colonizer was further directed to submit an indemnity bond indemnifying DTCP with regard to loss, if any, occurred due to submission of documents for grant of licence. It was only after the colonizer accepted the condition and submitted undertaking and indemnity bond as per conditions of Letter of Intent, the licence was granted.

It is further clarified that vide this office memo dated 01.06.2022, condition no. 5 of licence no. 50 of 2022 has been amended which now reads as under "*that the final decision of State Level Committee on the recommendation of District Level Sub Committee regarding inclusion / exclusion of applied land from NCZ category shall be binding upon you and you shall abide by the same.*" Copy of the letter dated 01.06.2022 is attached as **Annexure- R/2.**

3. That it is brought to the kind of this Hon'ble Tribunal that the site falls under NCZ category as per NCR Regional Plan 2021 AD. However, in the 39th meeting of the National Capital Region Planning Board held on 05.10.2020 under the Chairmanship of Hon'ble Minister of State (IC), Housing and Urban Affairs and



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Chairman NCPRB, it was decided that State of Haryana would finalize the areas under NCZ as per the Satellite Imagery, revenue records and the ground truthing as per definition/categorization of NCZ provided in the Regional Plan-2021. Thereafter, the same will be intimated to the Board for information as per the NCRPB Act. Copy of the minutes of the meeting held on 05.10.2020 is attached as **Annexure- R/3**. Accordingly, now the State has to finalize the areas under NCZ after carrying out actual ground truthing exercise duly supported by the entries in the relevant revenue record and after finalization of the same, intimation is required to be sent to the NCRPB for information.

4. That as per ground truthing report of District Level Sub-Committee (hereinafter referred as to 'DLSC'), the land in question has been recommended to be excluded from NCZ. DTP (P) Faridabad vide memo no. 2947 dated 20.06.2019, forwarded the detailed khasra wise ground truthing report to the O/o CCP(NCR). As per said report, khasra nos. 70//8/2 (7-9), 9/1 (1-13), 12/2 (1-13), 13 (8-0), 14 (8-0), 17/2 (7-10), 18 (8-0), 19/1 (1-13) were recommended to be excluded from NCZ. It was stated in the ground truthing report that the site is completely surrounded by developed plotted colony, and earlier was under a running factory and the plantation was reported



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to be self grown (not natural). Therefore, the said land was recommended for exclusion of NCZ.

However, the report of DLSC is yet to be approved by the State Level Committee (in short called as SLC) and Government of Haryana.

Accordingly, the LOI proposing to grant licence was issued to Project Proponent on 03.11.2021 with additional condition no. 11 that applicant shall abide by the final outcome of the decision of SLC taken on the issue of NCZ as per recommendation of DLSC regarding exclusion of site from NCZ category. Further, an indemnity bond was also submitted by the Project Proponent. To further safe guard the interest of the State, an additional condition was also incorporated in the licence, that applicant shall abide by the final decision of SLC on the recommendation of DLSC.

5. That it is also submitted that the ground truthing reports of DLSC for districts of Rohtak, Jhajjar, Mewat, Jind, Palwal & Bhiwani stand accepted completely by the SLC (NCZ), while the DLSC recommendations of Panipat & Sonipat stand accepted partly (excluding the area under Yamuna river). These accepted reports are yet to be considered by the Government for approval and hence, the areas under NCZ are yet to attain finality.



The ground truthing recommendations of DLSC at Faridabad are yet to be accepted by the SLC (NCZ) and approved by the Government on the lines as decided in the above mentioned districts. Hence, the NCZ areas are yet to attain finality for the Faridabad district.

6. That it is submitted that the Department was of the considered view that the recommendations given by the DLSC regarding exclusion of the site from NCZ category will be approved by the SLC shortly. It was in view of the above said position that licence no. 50 of 2022 dated 22.04.2022 was granted to SVC & Lahari for setting up of a Affordable Plotted Colony under Deen Dayal Jan Awas Yojna Policy 2016 on the land measuring 5.00625 acres in Sector-43, Faridabad.
7. That it is also pointed out that recently NCRPB has published Draft Regional Plan-2041, wherein the term Natural Zone has been introduced. The objections to said Draft Regional Plan are yet being submitted to NCR Planning Board. Final Regional Plan 2041 is yet to be notified.
8. That releasing by the Department that the finalization of areas under NCZ in District Faridabad is likely to take time, licence no. 50 of 2022 dated 22.04.2022 was suspended vide order dated 06.07.2022 till the finalization of the issue of NCZ in District



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Faridabad. Copy of the order dated 06.07.2022 is attached as **Annexure- R/4.**

9. That regarding creation of third party rights on the land for which licence no. 50 of 2022 was granted, it is stated that the District Town Planner, Faridabad vide letter dated 22.08.2022 had informed that as per the information received from Tehsildar, Faridabad vide letter dated 16.08.2022, the land in question is under the ownership of the project proponent i.e. M/s SVC & Lahari. No further registration of any sale deed has been executed. The project proponent vide letter dated 18.08.2022 has also informed the District Town Planner, Faridabad that no third party rights have been created by the colonizer in the licence granted project.
10. That even otherwise, the project in question has not been registered with HRERA as per requirement of Section 3 of the Real Estate (Development and Regulation) Act, 2016. Without getting the project registered with HRERA, no colonizer can create third party rights on the licenced area.

A perusal of the facts stated above would reveal that earlier licence no. 50 of 2022 for setting up of an Affordable Residential Plotted colony on the land measuring 5.00625 acres in Sector-43, Faridabad was granted with the presumption that the recommendations of the DLSC in respect of Faridabad would be

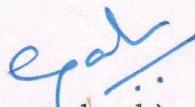


approved by the SLC shortly. However, the same is yet to be finalized and likely to take more time. Therefore, licence no. 50 of 2022 has been suspended. The case for restoration of the licence would be examined only after the report of DLSC is approved by SLC and the Government of Haryana. Further, as per information supplied by the colonizer, no third party rights stand created on the land in dispute.

11. That it is respectfully prayed that the above said affidavit may kindly be taken on record of the Hon'ble Tribunal.

Place: Chandigarh

Dated:13.09.2022


(T.L. Satyaprakash)
Director General, Town & Country Planning,
Haryana.

VERIFICATION:

Verified that the contents of para No.1 to 11 of the affidavit are true and correct to my knowledge and based on information derived from the official record, which are believed by me to be correct. Legal submissions are based on advice.

Place: Chandigarh

Dated:13.09.2022


(T.L. Satyaprakash)
Director General, Town & Country Planning,
Haryana.

Certified that the Affidavit / SPA / COP has been read over & explained to the deponent / executant who has hereby to understand the same at the time of making & signing the document thereof.

8
Attested as certified
13/9/22
Notary Chandigarh



Directorate of Town & Country Planning, Haryana
Nagar Yojana Bhavan, Plot no. 3, Sector-18 A, Madhya Marg, Chandigarh
Web site tcpharyana.gov.in - e-mail: tcpharyana7@gmail.com

FORM LC -V
(See Rule 12)

License No. 50 of 2022

This License has been granted under the Haryana Development and Regulation of Urban Areas Act 1975 & the Rules 1976 made there under to SVC & Lahari with Regd. Office: Plot no. 509-F-III, Road no. 86, Jublee Hills, Hyderabad-500033 for setting up of an Affordable Plotted Colony under Policy 2016 Deen Dayal Jan Awas Yojna over an area measuring 5.00625 acres in the revenue estate Village Sarai Khawaja, Sector-43, District-Faridabad, Haryana.

1. The particulars of the land, wherein the aforesaid affordable plotted colony is to be set up, are given in the schedule of land annexed hereto and duly signed by the Director, Town & Country Planning, Haryana.
2. The Licence is granted subject to the following conditions:-
 - a) That the affordable residential plotted colony will be laid out in confirmation to the approved layout/building plan and development works will be executed in accordance to the designs and specifications shown in the approved plans.
 - b) That the licensee shall abide by the Deen Dayal Jan Awas Yojna policy dated 08.02.2016, subsequent amendments from time to time and other direction given by the Director time to time to execute the project.
 - c) That the licensee shall deposit an amount of **Rs. 61,54,064/-** against Infrastructural Development Charges in two equal installments. First within 60 days from issuance of license and second within six months be paid online at www.tcpharyana.gov.in. In failure of which, an interest @ 18% per annum for delay period shall charged.
 - d) That the licensee shall deposit the balance amount of External Development Charges of **Rs. 295.4829 lacs** in equal 6 half yearly installment with interest as per policy dated 05.12.2018 (may be seen on website www.tcpharyana.gov.in)
 - e) That the conditions of the agreements already executed are duly fulfilled and the provisions of Haryana Development and Regulation of Urban Areas Act, 1975 and the Rules 1976 made there under are duly complied with.

- f) That the licensee shall maintain and upkeep of all roads, open spaces, public park and public health services for a period of five years from the date of issue of the completion certificate unless earlier relieved of this responsibility and thereupon to transfer all such roads, open spaces, public parks and public health services free of cost to the Govt. or the local authority, as the case may be, in accordance with the provisions of Section 3(3)(a)(iii) of the Haryana Development and Regulation of Urban Areas Act, 1975.
- g) That the licensee shall integrate the services with Haryana Shahari Vikas Pradhikaran services as and when made available.
- h) That the licensee shall transfer 10% area of the licenced colony free of cost to the Government for provision of community facilities. This will give flexibility to the Director to work out the requirement of community infrastructure at sector level and accordingly make provisions. The said area has been earmarked on the enclosed layout plan.
- i) That the licensee shall transfer the part of licenced land falling under sector road/green belt free of cost to the Govt. or the local authority, as the case may be, in accordance with the provisions of Section 3(3) (a) (iii) of the Haryana Development and Regulation of Urban Areas Act, 1975.
- j) That the licensee understands that the development/construction cost of 30 m/24 m/18 m major internal roads is not included in the EDC rates and they shall pay the proportionate cost for acquisition of land, if any, alongwith the construction cost of 30 m/24 m/18 m wide major internal roads as and when finalized and demanded by the Department.
- k) That the licensee shall obtain NOC/Clearance as per provisions of notification dated 14.09.2006 issued by Ministry of Environment & Forest, Govt. of India, if applicable before execution of development works at site.
- l) That the licensee shall make arrangements for water supply, sewerage, drainage etc to the satisfaction of DTCP till these services are made available from External Infrastructure to be laid by Haryana Shehri Vikas Pardhikaran or any other execution agency.
- m) That the licensee shall pay the differential amount if there will be any change in the said rates from the original calculation required to be deposited as and when demanded by the Department as the EDC have been charged on the basis of EDC Indexation Mechanism Policy dated 11.02.2016.

- n) That the licensee shall obtain clearance from competent authority, if required under Punjab Land Preservation Land Act, 1900 and any other clearance required under any other law.
- o) That the rain water harvesting system shall be provided as per Central Ground Water Authority Norms/Haryana Govt. notification as applicable.
- p) That the provision of solar water heating system shall be as per guidelines of Haryana Renewable Energy Development Agency and shall be made operational where applicable before applying for an Occupation Certificate.
- q) That the licensee shall use only LED fitting for internal lighting as well as campus lighting.
- r) That the licensee shall convey the 'Ultimate Power Load Requirement' of the project to the concerned power utility, with a copy to the Director, within two months period from the date of grant of license to enable provision of site in licensed land for Transformers/Switching Stations/Electric Sub Stations as per the norms prescribed by the power utility in the zoning plan of the project.
- s) That it will be made clear at the time of booking of plots/commercial space that specified rates include or do not include EDC. In case of not inclusion of EDC in the booking rates, then it may be specified that same are to be charged separately as per rate fixed by the Govt. You shall also provide detail of calculation of EDC per Sqm/per Sft to the allottees while raising such demand from the plot owners.
- t) That the licensee shall keep pace of development at-least in accordance with sale agreement executed with the buyers of the plots as and when scheme is launched.
- u) That the licensee shall arrange power connection from UHBVNL/DHBVNL for electrification of the colony and shall install the electricity distribution infrastructure as per the peak load requirement of the colony for which licensee shall get the electrical (distribution) service plan/estimates approved from the agency responsible for installation of external electric services i.e. UHBVNL/DHBVNL and complete the same before obtaining completion certificate for the colony.
- v) That the licensee shall complete the project within seven years (5+2 years) from date of grant of license.
- w) That the licensee will pay the labour cess as per policy instructions issued by Haryana Government.

- x) That the licensee shall submit compliance of Rule 24, 26, 27 & 28 of Rules 1976 & Section 5 of Haryana Development and Regulation of Urban Areas Act, 1975, and shall inform account number and full particulars of the scheduled bank wherein licensee have to deposit thirty percentum of the amount received from the plot holders for meeting the cost of Internal Development Works in the colony.
- y) That the licensee shall deposit the balance amount of EDC as per policy dated 05.12.2018 (may be seen on website www.tcpharyana.gov.in).
- z) That the licensee shall permit the Director or any other officer authorized by him to inspect the execution of the layout and the development in the works in the colony and to carry out all directions issued by him for ensuring due compliance of the execution of the layout and development works in accordance with the license granted.
- aa) That the licensee shall follow the provisions of the Real Estate (Regulations and Development) Act, 2016 and Rules framed there under shall be followed by the applicant in letter and spirit.
3. That you shall execute the development works as per Environmental Clearance and comply with the provisions of Environment Protection Act, 1986, Air (Prevention and Control of Pollution of Act, 1981) and Water (Prevention and Control of Pollution of 1974). In case of any violation of the provisions of said statutes, you shall be liable for penal action by Haryana State Pollution Control Board or any other Authority Administering the said Acts.
4. That the 50% saleable area, earmarked in the approved layout plan and freezed as per clause 5(i) of DDJAY policy shall be allowed to sell only after completion of all Internal Development Works in the colony.
5. That the final decision of State Level Committee on the recommendation of District Level Sub Committee regarding inclusion / exclusion of applied land from NCZ category shall be binding upon you & you shall abide by the same.
- In case of any decision of State Level Committee contrary to the recommendation of District Level Committee, the license shall be withdrawn and no claim, what so ever, shall be entertained.
6. The licence is valid up to 21.04.2027.

Dated: 22.04.2022
Place: Chandigarh

Sd/-
(K. Makrand Pandurang, IAS)
Director, Town & Country Planning
Haryana, Chandigarh

A copy along with copy of schedule of land is forwarded to the following for information and necessary action:-

1. SVC & Lahari with Regd. Office: Plot no. 509-F-III, Road no. 86, Jublee Hills, Hyderabad-500033 alongwith copy of agreement-LC-IV-B & Bilateral Agreement.
2. The Chairman, Pollution Control Board, Haryana, Sector-6, Panchkula.
3. The Chief Administrator, HSVP, Panchkula.
4. The Managing Director, HVPN, Planning Directorate, Shakti Bhawan, Sector-6, Panchkula.
5. The Joint Director, Environment Haryana-cum-Secretary, SEAC, Paryavaran Bhawan, Sector -2, Panchkula.
6. The Director Urban Estates, Haryana, Panchkula.
7. Administrator, HSVP, Faridabad.
8. Superintending Engineer, HSVP, Panchkula along with a copy of agreement.
9. Land Acquisition Officer, Faridabad.
10. Senior Town Planner, Faridabad.
11. District Revenue Officer, Faridabad.
12. District Town Planner, Faridabad.
13. District Town Planner (E), Faridabad.
14. Chief Accounts Officer of this Directorate.
15. Project Manager (IT) for updation on the website.

Sd/-
(Sunena)
District Town Planner (HQ)
For Director, Town & Country Planning
Haryana Chandigarh

Directorate of Town & Country Planning, Haryana

Nagar Yojana Bhavan, Plot No. 3, Sector-18A, Madhya Marg, Chandigarh
Web site tcpharyana.gov.in - e-mail: tcpharyana7@gmail.com

Regd.

To

SVC & Lahari,
Regd. Off. Plot no. 509-F-III,
Road no. 86, Jublee Hills,
Hyderabad-500033.

Memo No. LC-3750-JE(SK)-2022/15262

Dated: 01.06.2022

Subject: Representation w.r.t condition no. 5 of licence no. 50 of 2022 granted for setting up of Affordable Residential Plotted Colony under DDJAY Scheme instead of Affordable Group Housing colony over an area measuring 5.00625 acres in Village Sarai Khawaja, Sector-43, Faridabad -SVC & Lahari.

Please refer to your representation dated 31.05.2022 and in continuation of licence no. 50 of 2022 issued vide this office memo no. 11246 dated 25.04.2022 in the subject cited matter.

Your representation w.r.t omission of condition no. 5 of licence no. 50 of 2022 granted for setting up of Affordable Residential Plotted Colony under DDJAY Policy-2016 over an area measuring 5.00625 acres in Village Sarai Khawaja, Sector-43, Faridabad has been examined and observed that the decision of State Level Committee on the recommendation of District Level Sub-Committee for exclusion of land from NCZ category has not been received yet. Accordingly, it has been decided that condition no. 5 of said licence no. 50 of 2022 may be read as under:-

“That the final decision of State Level Committee on the recommendation of District Level Sub Committee regarding inclusion / exclusion of applied land from NCZ category shall be binding upon you & you shall abide by the same.

This is for information and record please.

Sd/-
(Sunena)
District Town Planner (HQ)
For Director, Town & Country Planning
Haryana Chandigarh

Endst. No. LC-3750-JE (SK)-2022/15263-66

Dated: 01.06.2022

A copy is forwarded to the following for information and necessary action:-

1. Senior Town Planner, Faridabad.
2. District Town Planner, Faridabad.
3. District Town Planner (E), Faridabad.
4. PM(IT) for uploading the amendment on the website alongwith copy of licence.
- 5.

Sd/-
(Sunena)
District Town Planner (HQ)
For Director, Town & Country Planning
Haryana Chandigarh

NATIONAL CAPITAL REGION PLANNING BOARD

Sub.: Minutes of the 39th Meeting of NCR Planning Board held on 05.10.2020 at 2:00 PM in the Conference Room No.123-C, Nirman Bhawan, New Delhi, through Video Conferencing under the Chairmanship of Shri Hardeep Singh Puri, Hon'ble Minister of State (IC), Housing & Urban Affairs and Chairman, NCRPB.

The Member Secretary, NCRPB welcomed the Chairman and all participants, other officers present in the meeting (**Annexure-I**) and thereafter presented an overview of the work done so far by NCRPB. Apart from two Regional Plans 2001 and 2021, the NCRPB studies have given concepts of peripheral expressways, RRTS etc. 15 major projects in diverse sectors were showcased including NOIDA Metro, Rejuvenation of Amanishah Nallah (Drayavati River) Jaipur; 6 lane elevated road in Ghaziabad along with 52 kms. stretch of KMP Expressway; Civic Centre, MCD , 500 beds medical college, Mewat; Mewat water supply scheme, IMT Manesar; 70 km NCR water supply channel in Haryana etc.

Shri Hardeep Singh Puri, Hon'ble Minister of State (IC), Housing & Urban Affairs and Chairman NCRPB in his opening remarks welcomed the Hon'ble Chief Minister, Haryana and the other Senior Ministers of State Governments and directed to proceed as per agenda.

Agenda Item No. 1: Confirmation of the Minutes of 38th Meeting of the Board held on 13.09.2019

While there were no comments from U.P., Rajasthan and Delhi, Hon'ble Chief Minister, Haryana and Director General, T&CP, Haryana stated that numerous points raised by the Haryana Government in the last meeting were not recorded completely. Hence, they had requested a copy of the recording which was denied.

Secretary, H&UA apprised the Board that, providing copy of the recording to the Members/ Participants has not been a practice ever in the Board, so it cannot be done. He also stated that the detailed minutes of such a long meeting are not required and only the main points of discussion and decision are recorded for the sake of convenience. However, Secretary, MoHUA requested the Members/ Participants that they may place their particular observations if minutes need to be modified and that could be considered with the approval of the Chairman.

Since the points of objection from Haryana were regarding NCZ, it was agreed that this matter may be discussed at the appropriate agenda item in this meeting. Accordingly, minutes of the last Board meeting was confirmed.

Further, the Chairman gave directions that draft minutes may be shared with the participating States for their observations, if any, within a period of 7 days

and if no comments are received, the same shall be considered as final from their side and then the approval may be sought.

Decision: Minutes of last Board meeting were approved.

Agenda Item No. 2: Action Taken on the decisions taken in the Meeting of the NCR Planning Board held on 13.09.19.

Action taken/status contained under the ATR Agenda Item No. 2 notes for Item No. 1,2,3,4,11,12 and 19, were noted. Deliberations on Item No. 5.3,6,7,9,18, mentioned under Agenda Item No. 2 notes, were held under separate Agenda Items noted ATR. Discussions and deliberations on Item No. 5.1, 5.2, 5.3, 8 and 10 under ATR Agenda No. 2 are as follows:

Agenda Item No. 5.1 (ATR): Draft SRP-2021 for Haryana Sub-region for newly added areas:

The matter of ATR on Agenda item no. 5.1 regarding Draft SRP-2021 for newly added district was discussed. Member Secretary, NCRPB apprised the Board on preparation and consideration of SRP for Haryana Sub region subject to detailed NCZ delineation and compliance of 3 observations of the Board. Member Secretary, NCRPB apprised that as per decision of last Board meeting, reference to Kaithal was to be deleted since it does not form part of the NCR. Population figures of Karnal were to be corrected as per their RP figures. Lastly, the participating State of Haryana was to delineate NCZ by December 2019 and SRP was to stand amended.

Secretary, MoHUA made it further clear to all the participants that as per Section-19 of the NCRPB Act 1985, the Board does not approve the Sub Regional Plans (SRP). The Act provides that draft SRPs would be examined by Board to ensure compliance with RP and Board would send its observations. The Sub-Regional Plan would be accordingly finalised and published by States and Board could be informed. He also mentioned that there were only three observations made in the last meeting as explained and the State Govt. should have acted swiftly on this. Secretary HUA read out the minutes of the last meeting in the matter wherein it was mentioned that apart from necessary action on 3 observations of Board, delineation of NCZ will be done by Haryana by December, 2019 and SRP will stand amended accordingly.

The matter of NCZ Haryana and SRP of erstwhile four and now five additional districts (after carving out of Charkhi Dadri from Bhiwani) of Haryana was discussed at length. Haryana informed that as per the decision of the last Board Meeting in September, 2019 all the observations of the Board except those related to NCZ has been complied with. It was discussed that the NCZ area outlined by the Satellite Imagery in RP-2021 are tentative and required to be detailed out by the States, as per the definition of various elements of NCZ, defined in the previous Board Meetings and various meetings in Government of India. Further, the State Government of Haryana would finalise the areas under NCZ as per the satellite imagery, revenue records, ground truthing as

per definition/categorisation of NCZ provided in the Regional Plan-2021 and convey the same to the Board for information.

The issue regarding decision of previous Board meeting for using the term "Forest areas" instead of "green areas" was also deliberated. State of Haryana raised the issue of considering the term "forest areas" instead of "green areas" in view of the fact that the satellite image is only a preliminary study image and relying totally on satellite imageries without any ground truthing will lead to a distorted picture.

Decision: It was decided that State Government of Haryana would finalise the areas under NCZ as per the Satellite Imagery, revenue records and the ground truthing as per definition/categorization of NCZ provided in the Regional Plan-2021. As far as the delineation of Aravalli on the basis of MoEF Notification dated 07.05.1992 is concerned, Govt. of Haryana will decide on the basis of revenue record, satellite imagery and ground truthing. Thereafter, the same will be intimated to the Board for information as per the NCRPB Act.

Hon'ble Chief Minister, Haryana assured to expedite further action accordingly.

[Action: Govt. of Haryana]

Agenda Item No. 5.2 (ATR): Consideration of Draft Sub-Regional Plan for extended Rajasthan Sub-region of ncr-2021:

Rajasthan was congratulated by the Hon'ble Minister for publishing the SRP of Bharatpur District, considered by the Board in the last meeting held in September, 2019.

Decision: Changes made by Rajasthan were noted and time extension requested by Rajasthan was accepted.

[Action: NCRPB]

Agenda Item No. 8(ATR): Other Notices issued: Notice issued under section 29(2) of NCRPB Act, 1985 for non-conformity of Zoning Regulations of UP SRP-2021

UP Government was appreciated for approving amendments to the zoning regulations of UP SRP-2021 as per NCR Cell, U.P. proposal. The approval of Govt. of U.P was issued on 01.10.2020.

Decision: The Board decided to close the matter and drop the Notice.

[Action: NCRPB and Govt. of Uttar Pradesh]

Agenda Item No. 10 (ATR): Matter related to YEIDA

Hon'ble Shri Siddarth Nath Singh, UP representing Hon'ble Chief Minister of UP requested that the areas in YIEDA, Jewar airport and proposed Film City should be included in the forthcoming RP-2041.

Decision: The Board discussed the matter and Hon'ble Chair decided that these details would be sent by the State Government and shall be included in the proposed RP-2041. It was also decided that in the proposed Regional Plan-2041 the area falling under YEIDA will be treated as Metro Centre.

[Action: Govt. of U.P. and NCRPB]

Agenda Item No. 3: Preparation for Regional Plan-2041 (RP-2041)

The work done by the Board Secretariat for preparation of RP-2041 after the last Board Meeting were examined at length. Hon'ble Chief Minister, Haryana was congratulated for ensuring participation of senior Officers of relevant department for each of the 17 full day Stake Holder Workshop in December, 2019 and January, 2020. Hon'ble Minister, Mo HUA exhorted other participant State to also follow the example of Haryana and ensure senior Level participation in the consultative process in preparation of RP- 2041 right from the beginning.

Hon'ble Minister from Raj as than suggested that possibility of considering Bharatpur and Alwar as smart city could be explored as they have potential to attract investments. He also suggested that zoning regulation finalisation flexibility should be given to the State. (i) Bharatpur is an agricultural district, so it has the potential to establish agriculture intensive industries. Therefore, in the Regional Plan-2041, establishment of large scale Agro-processing Hub in Bharatpur district of NCR area can be proposed. (ii) Proposal regarding policy for establishment of economic/administrative activities from Delhi to Rajasthan sub-region in the Regional Plan-2041. He further expressed need for high speed connectivity in Rajasthan Sub-region and the Jaipur CMA through RRTS. Secretary, HUA briefed about the RRTS proposals in the NCR and assured that connectivity was already being focused upon in NCR, and sought cooperation from the States regarding expeditious land availability for the projects. The Board was apprised about the constitution of the Core Advisory Committee for Regional Plan-2041 for coordination and monitoring of Regional Plan preparation works. It was informed that the members of the CAC included the Nodal Principal Secretaries of NCR States along with experts like SPA, NIUA, TERI AICTE NCRTC, Health etc. Member Secretary, NCRPB is Chairperson. It was also informed that the Committee had already convened three meetings since its constitution. The Board was apprised that the matter regarding preparation of Regional Plan-2041 was discussed at various levels including the CAC. Accordingly, the draft chapters/approach papers were being prepared in-house and were nearing completion. It was further informed the SPA Delhi had been assigned the work of review of the draft chapters, and they shall be carrying out upto 6 reviews till the finalisation of Regional Plan-2041. It was mentioned that once the draft chapters of Regional Plan-2041 are in place, the same shall be put up to CAC, SPA Delhi for review, shared with states, placed

before Planning Committee and thereafter placed before the Board for consideration to invite public objections and suggestions, u/s 12(1) of NCRPB act.

Hon'ble Minister stated that RP-2041 holds great opportunity for planning for next 20 years for transformation of the NCR area and for evolving appropriate strategies for the next 20 years.

Decision: Proposal in the Agenda was agreed, that after the draft chapters are reviewed by the SP A, they shall be placed before the Core Advisory Committee which has members from all the four States (apart from experts); thereafter the draft chapters shall be shared with NCR States and will be accordingly placed before the Planning Committee and the Board. Hon'ble Minister and Chairman of the NCRPB also directed that a special session for the draft RP-2041 can be held, which should ideally have participation of Chief Ministers of four States apart from the concerned Central Ministries.

Agenda Item No. 4: Status of Delineation of National Capital Region

The Stakeholders workshop in January, 2020 showed that there is no unanimity amongst States regarding options suggested in draft report.

Decision: Secretary, MoHUA shall hold consultation with the States in the next two weeks on NCR delineation and present status before the Board expeditiously. Meanwhile the present extent of NCR area shall be used as the basis for preparation of forthcoming RP-2041.

Agenda Item No. 5: Status of Reciprocal Common Transport Agreement

The Member Secretary updated the Board on the RCTA Agreements which had created facility for unhindered travel in NCR States through a decade old mechanism for reciprocal counter signing of permits for taxies, buses, etc. It was also informed that these RCTAs have been recently extended till April, 2021 till new agreements are finalised.

The Chairman emphasized the requirement and aspirations of the commuters for a seamless and hassle-free commuting environment. NCR area was becoming very huge and the transportation landscape has changed due to metro operation and upcoming RRTS operations. The NCR region should have seamless internal movement and consider having transportation hubs.

Decision: A Committee chaired by AS, MoHUA shall look into all aspects of transportation. AS, MoHUA shall call the first meeting of the Principal Secretaries, Transport/Transport Commissioners of all the States in the next one month. The report of the Committee shall be presented before the next Board Meeting.

Agenda Item No.6: Consideration of Sub-Regional Plans

6.1: Sub-Regional Plan-2021 for NCT Delhi

The Board was apprised about the status of SRP 2021 for Delhi and informed that while DDA had submitted the plan to GNCT Delhi, the same was still to be forwarded by GNCT of Delhi. Additional Chief Secretary, UD, Delhi updated that DDA draft plan had been recently received and they will need some time to review it.

Decision: SRP of Delhi shall be sent within a month by GNCT-Delhi with changes as deemed fit, to enable timely processing for the next Board meeting for consideration of the Board.

[Action: GNCT-Delhi]

6.2: Sub-Regional Plan-2021 for additional districts of UP Sub-Region

The Board was apprised that GoUP had sent a draft SRP for NCRPB comments on 03.10.2020 and NCRPB will need some time to look into the same for converging its comments.

Decision:NCRPB may convey its comments on SRP 2021 for additional areas of UP sub-region, to GoUP within two weeks. U.P. shall thereafter submit its final SRP within a month. The matter be put up in the next Board meeting.

[Action: NCRPB/Govt. of Uttar Pradesh]

Agenda Item No. 7: Status of Notices on Population Density

The Board deliberated upon the reasons, justifications, action taken and related replies given by the NCR states of Haryana, Rajasthan and Uttar Pradesh, with requests to withdraw the Notices on population density. Chief Minister, Haryana mentioned that NCRPB may consider issuing advisories instead of notices, in any cases required in future.

Decision: The Board noted that the density norms given in the Regional Plan are indicative. After comprehensive deliberations, the Board decided to accept the replies of Haryana, Rajasthan &U.P. and directed the Board Secretariat to withdraw the notices. States were also advised to ensure including these strategies for increasing population densities in future detailed plans.

[Action: NCRPB/Govts. of Haryana, Rajasthan and U.P.J]

Agenda Item No. 8: Status on Notices on Natural Conservation Zone:

8.1 Notice issued to Govt. of UP

In the last Board meeting the figures of NCZ were considered and accepted by the Board. It was also informed that the NCZ area given by UP in the last Board Meeting have been detailed on the map by the UP Government.

Decision: The Board decided that notice in this regard to UP should be withdrawn.

[Action: NCRPB]

8.2 Notice issued to Govt. of NCT Delhi

This agenda item was deferred and one month time for compliance along with SRP, was given to Govt. of NCT Delhi.

[Action: GNCT-Delhi]

8.3 Notice issued to Govt. of Haryana

This agenda item has already been discussed Agenda Item No. 5.1 (ATR) and the decision has been recorded at that point.

Decision: As per decision at Agenda Item No.5.1 (ATR).

[Action: Govt of Haryana]

8.4 Notice issued to Govt. of Rajasthan

The representative of Govt. of Rajasthan apprised that replies to NCZ notices for Alwar, and NCZ proposals for Bharatpur have been sent to the Board very recently (on 01-10-2020 and later). Initial examination shows that more details may be needed.

Decision: Final details and replies may be submitted by the Government of Rajasthan within the next one month to the Board for consideration in the next Board Meeting.

[Action: Govt. of Rajasthan]

Agenda Item No. 9: Important Agenda Points for discussion as per guidance of Hon'ble Chairman, NCRPB, in the last meeting

The Board also considered various important forward looking agenda items.

9.1 Steps to ensure entry of clean Yamuna River water in Delhi

Secretary, HUA informed that as the matter of pollution in river Yamuna is already being looked into by Hon'ble National Green Tribunal (NGT) and a

Committee has been constituted by NGT in the matter. Hence, the matter may be dropped here.

Hon'ble Chief Minister, Haryana suggested that the States may formulate projects like RTP/CTP/STP/WTP, etc. It was agreed that NCRPB may fund these projects to achieve the objective of clean water supply in NCR.

9.2 Water conservation in NCR

Concerns were raised on high rate of water extraction in NCR and depleting ground water levels. Requirement of water conservation in NCR was also discussed.

Decision: AS, MoHUA shall hold consultations with all the four NCR States and water sector experts in the next one month and prepare a Water Balancing Plan for NCR. This reports shall also propose measures regarding ground water recharging and recycling of water etc.

9.3 High rate of road accidents in NCR

After brief presentation on the subject by Member Secretary, NCRPB, the concern was shared by the participants.

Decision: A Committee has been decided to be formed under AS, MoHUA in earlier Agenda Item No. 5. This Committee shall also look into all aspects of high rate of road accidents in NCR and suggest action points for reducing such accidents. The report of the Committee shall be presented before the next Board Meeting.

Agenda Item No. 10: Approval of Items relating to Statutory Provisions.

Agenda Item No. 10.1: Annual Report and Audited/Unaudited Annual Accounts for the Financial Year 2018-19/ 2019-20

Decision: The Board noted the status as presented under the Agenda and ratified the action taken by the Boards Secretariat. The Board approved the Annual Accounts for the Financial Year 2018-19 along with Annual Report for the financial year 2019-20. The Board noted the status of Annual Accounts of the year 2019-20.

Agenda Item No. 10.2: Annual Statement of Outstanding loans and advances disbursed by the Board during the year 2018-19 as per rule 47 (1) of NCRPB Rules, 1985.

Haryana and U.P. said that the NCRPB loans could be cheaper and that Bank Guarantee for loans of 133% are high. Delhi Govt. stated that since State Govt. cannot give guarantees, Central government, should consider giving guarantees. They were informed that they can give bank guarantees. The matter was discussed and the Hon'ble Chairman of the Board informed that NCRPB does not have funds of its own and borrows from market to lend the loans. He directed Secretary, MoHUA to personally look into this and get the scope for further reduction of the interest rates examined. It was clarified that

the Bank Guarantees are required only in absence of State Guarantees. Further Hon'ble Minister assured the States that the Ease of Process in sanctioning of loan will be ensured.

Decision: Information contained in the Agenda item was noted and Board directed to examine the interest rates and come with proposal in the next meeting.

Agenda Item No. 10.3: Annual Statement of Outstanding loans/advances received by the Board during the year 2018-19 as per Rule 47(2) of NCRPB Rules, 1985.

Decision: Information contained in the agenda item was noted.

Agenda Item No.10.4: Approval of Revised Estimates for the Financial Year 2019-20 and Budget Estimate for Financial Year 2020-21 under "Revenue and Capital" heads as per Rule 29 of the NCRPB Rules, 1985.

Decision: The Board noted the status and approved the Revised Estimates for the year 2019-20 and Budget Estimates for the year 2020- 21 both under Capital and Revenue heads as placed before the Board. Further, Board authorized Member Secretary, NCRPB for taking decisions regarding resource mobilization programme of NCRPB by raising Bonds, Commercial Paper and/or through borrowing from multilateral & bi-lateral aid agencies. Member Secretary, NCRPB was also authorized to take necessary decisions in respect of various approvals/ formalities required to be taken in this regard.

Additional Agenda Item No.11: Levying of Commitment Charges on NCRPB Loans.

Decision: The Board approved levying of Commitment Charges @ 0.05% per annum on non-drawl and delayed drawal of loan after sanction as per instalment. The commitment charges shall be leviable only after loan sanction and shall be leviable after six months from due date of instalment as per sanction order, in case of road projects and after one year of the same in other cases.

In his closing remarks, Hon'ble Minister, MoHUA expressed that NCRPB should be a symbol of Cooperative Federalism. He also invited attention of States towards the matter of stubble burning in winters. Hon'ble Chairman also emphasised that since the NCR Region will overtake Tokyo to become the most populous National Capital area globally by 2031, the Regional Plan 2041 will be an unique opportunity to plan for transformation of future India and prepare transformative strategies. He sought the enthusiastic participation of all State Governments in this exercise of preparation of RP-2041. Thereafter, he thanked all members, invitees and senior officials for participating in the meeting.

The meeting ended with vote of thanks to the Chair.

List of Attendees

Chairperson	
1	Shri Hardeep Singh Puri. Hon'ble Union Minister of State (Independent Charge) Housings and Urban Affairs. Govt. of India & Chairman, NCR Planning Board
Members	
2	Shri Manohar Lal, Hon'ble Chief Minister, Haryana
3	Shri Shanti Kumar Dhariwal, Hon'ble Minister of Urban Development & Housing, Govt. of Rajasthan-Representing Chief Minister, Rajasthan
4	Shri Siddharth Nath Singh, Hon'ble Minister of Khadi & Village Industries Board, Gram Udyog, U.P. - Representing Chief Minister, U.P.
5	Shri Satyendar Jain, Hon'ble Minister, PWD, Govt. of NCT-Delhi-Representing Chief Minister, Delhi
6	Shri Durga Shanker Mishra, Secretary, Ministry of Housing and Urban Affairs
7	Shri Vijay Kumar Dev, Chief Secretary, Delhi
8	Shri Vijai Yardhan, Chief Secretary, Haryana
9	Smt. Archana Agrawal, Member Secretary, NCR Planning Board, New Delhi
10	Shri Bhaskar A. Sa want, Principal Secretary, Department of Urban Development & Housing, Govt. of Rajasthan-Representing Chief Secretary, Rajasthan
11	Shri Amit Kumar Ghosh Joint Secretary, M/o Road Transport & Highways -Representing Secretary, M/o Road Transport & Highways
12	Shri K. Makrand Pandurang, Director General, Town & Country Planning Department, Govt. of Haryana-Representing Principal Secretary, Town & Country Planning Department, Govt. of Haryana

13	Shri A.K. Mishra, Director, MTP, Railway Board-Representing Chairman, Railway Board
Co-opted Members	
14	Shri Sanjay Kumar, DG Forest & Special Secretary, Ministry of Environment, Forest and Climate Change, New Delhi-Representing Secretary, MoEF & CC
15	Shri Udit Ratna, Chief Planner, Town & Country Planning Organization, New Delhi
Others	
16	Shri Kamran Rizvi, Additional Secretary (D&UT), M/o HUA, Govt. of India
17	Mrs.Renu Sharma, Additional Chief Secretary (UD), Director of Local Bodies (DLB), Delhi.
18	Shri S.N. Roy, Additional Chief Secretary, Urban Local Bodies, Haryana
19	Shri Deepak Kumar, Principal Secretary, Housing and Urban Planning Department, Govt. of Uttar Pradesh
20	Shri Rajesh Khullar, Principal Secretary, CM Haryana.
21	Shri Prabhat Kumar Sarangi, Commissioner, NCR, UP
22	Shri Rajesh Prakash, Additional Commissioner, NCR Planning & Monitoring Cell, Town & Country Planning Deptt., Govt. of UP
23	Shri J.P. Sihag, Chief Coordinator Planner, NCR Planning & Monitoring Cell, Govt. of Haryana
24	Shri Vinay Dalela, Chief Town Planner (NCR), Town & Country Planning Department, Govt. of Rajasthan
25	Sh. S.C. Gaur, Chief Coordinator Planner, NCR Planning & Monitoring Cell, Town & Country Planning Deptt., Govt. of UP
26	Shri Krishan Mohan, Architect Planner, Town & Country Planning Department, Govt. of UP-Representing Chief Town & Country Planner, Town & Country Planning Department, Govt. of UP

ORDER

Licence No. 50 of 2022 dated 22.04.2022 stands granted to M/s SVC & Lahari for developing Affordable Residential Plotted Colony under DDJAY Policy - 2016 over an area measuring 5.00625 acres bearing khasra. No. 70//8/2 min (3-12), 9/1 (1-13), 12/2 (1-13), 13 (8-0), 14 (8-0), 17/2 (7-10), 18 (8-0), 19/1 (1-13), in the revenue estate of village Sarai Khawaja, Sector-43, Faridabad vide this office Endst. No. LC-3750-JE (SK)-2022/11246-260 dated 25.04.2022.

2. The site falls under NCZ category as per NCR Regional Plan 2021 AD. However, as per Regional Plan -2021 AD (verified w.r.t satellite image depicting the same provided by the NRSC), the site falls outside NCZ. Also, as per ground truthing report of DLSC regarding area under NCZ category "status yet to be decided", the land in question has been recommended to be excluded from NCZ.

3. Accordingly, Letter of Intent for setting up of Affordable Residential Plotted Colony was issued on 03.11.2021 with additional condition nos. 10 & 11 that the applicant shall abide by the final outcome of the decision of SLC taken on the issue of NCZ as per recommendation of DLSC regarding exclusion of site from NCZ category and submission of indemnity bond.

4. Also, the following additional condition no. 5 was incorporated at the time of issuance of licence:-

"The final decision of State Level Committee on the recommendation of District Level Sub Committee regarding inclusion/exclusion of applied land from NCZ category shall be binding upon you & you shall abide by the same. In case of any decision of State Level Committee contrary to the recommendation of District Level Committee, the licence shall be withdrawn and no claim, what so ever, shall be entertained."

5. The said condition was amended as follows vide this office memo dated 01.06.2022:-

"That the final decision of State Level Committee on the recommendation of District Level Sub Committee regarding inclusion/exclusion of applied land from NCZ category shall be binding upon you & you shall abide by the same."

6. It is also pertinent to mention that the ground truthing reports of DLSC for districts of Rohtak, Jhajjar, Mewat, Jind, Palwal & Bhiwani stand accepted completely by the SLC (NCZ), while the DLSC recommendations of Panipat & Sonapat stands accepted partly (excluding the area under Yamuna river). These accepted reports stand submitted to the Government for having necessary decision on the NCZ report, which already stands accepted by SLC (NCZ) and further for having decision over the components to be considered under the new term namely 'Natural Zone' introduced by NCRPB in the DRP-2041.

7. The ground truthing recommendations of DLSC at Faridabad are yet to be accepted by the SLC (NCZ) and approved by the Government on the lines as decided in the above mentioned districts. Hence, the NCZ areas are yet to attain finality for the said district.

8. In view of above facts, the matter has been re-examined observed that the finalization of areas under NCZ in District Faridabad is likely to take time. Therefore, licence no. 50 of 2022 dated 22.04.2022 is hereby suspended till the finalization of the issue of NCZ in District Faridabad.

Sd/-

(K. Makrand Pandurang, IAS)
Director, Town & Country Planning,
Haryana, Chandigarh

Dated: 06.07.2022
Place: Chandigarh

Endst. No. LC-3750-JE (SK)-2022/19021-35

Dated: 06.07.2022

A copy is forwarded to the following for information and necessary action:-

1. SVC & Lahari with Regd. Office: Plot no. 509-F-III, Road no. 86, Jublee Hills, Hyderabad-500033.
2. The Chairman, Pollution Control Board, Haryana, Sector-6, Panchkula.
3. The Chief Administrator, HSVP, Panchkula.
4. The Managing Director, HVPN, Planning Directorate, Shakti Bhawan, Sector-6, Panchkula.
5. The Joint Director, Environment Haryana-cum-Secretary, SEAC, Paryavaran Bhawan, Sector -2, Panchkula.
6. The Director Urban Estates, Haryana, Panchkula.
7. Administrator, HSVP, Faridabad.
8. Superintending Engineer, HSVP, Panchkula along with a copy of agreement.
9. Land Acquisition Officer, Faridabad.

10. Senior Town Planner, Faridabad.
11. District Revenue Officer, Faridabad.
12. District Town Planner, Faridabad.
13. District Town Planner (E), Faridabad.
14. Chief Accounts Officer of this Directorate.
15. Project Manager (IT) for updation on the website.

Sd/-
(Lalit Bazard)
District Town Planner (HQ)
For Director, Town & Country Planning
Haryana Chandigarh